

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER

UNITED STATES OF AMERICA,)	
Complainant,)	
)	
v.)	8 U.S.C. § 1324a Proceeding
)	Case No. 98A00015
VALENCA BAR & LIQUORS, INC.,)	
Respondent.)	

MARVIN H. MORSE, Administrative Law Judge

Appearances: Leo P. Weber, Esq., for Complainant.
Dominic Kong, Esq., for Respondent.

FINAL DECISION AND ORDER
(May 18, 1998)

As confirmed by the Fifth Prehearing Conference Report and Order of April 30, 1998, and the Order on subpoena practice entered May 4, 1998, the evidentiary hearing was scheduled to begin at 9:00 a.m., on May 15, 1998, in New York City. Upon opening the hearing, I was advised by counsel for Respondent that his client wished to accept liability as alleged in the Complaint, and to pay the civil money penalty demanded in the Complaint.

Respondent's counsel responded in the affirmative to my inquiry as to whether Respondent in effect abandoned its request for hearing. However, Complainant's counsel expressed a preference, in which Respondent's counsel acquiesced, that I enter an order adjudging liability and penalty, rather approving a settlement withdrawing the request for hearing. Accordingly, as agreed and stipulated between the parties, by counsel, and as ratified by the bench, this Final Decision and Order finds liability for unauthorized employment as alleged in Count I and for four paperwork violations as alleged in Count II, and adjudges a civil money penalty of \$687.50 for Count I, and \$1,480.00 (\$370.00 per individual) for Count II, for a total of \$2,167.50.

Respondent will cease and desist from further violations of 8 U.S.C. § 1324a.

Prior to concluding the evidentiary phase of the hearing, I accepted for filing the Preliminary Memorandum of Points and Authorities Relating to the Good Faith Defenses, tendered by Complainant, as requested in the Order Denying Motion for Summary Decision, 7 OCAHO 995 (1998), at 11.

SO ORDERED.

Dated and entered this 18th day of May, 1998.

Marvin H. Morse
Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the attached Final Decision and Order were mailed first class this 18th day of May 1998, addressed as follows:

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